



U.S. Immigration
and Customs
Enforcement

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News Release

TWO CHARGED WITH PROVIDING MATERIAL SUPPORT TO TERRORISTS

ALBANY, N.Y. -- Glenn T. Suddaby, United States Attorney for the Northern District of New York, and FBI Special Agent In Charge William Chase announced today that a Federal Grand Jury sitting in Albany, New York, has returned an Superseding Indictment against Yassin Muhiddin Aref, 35 of 44 West St., Albany, New York and Mohammed Mosharref Hossam, 50, of 2 Central Ave., Albany New York. The Superseding Indictment added the following charges:

- (a) Count Twenty charging Aref and Hossain with conspiring to provide material support to Jaish-e-Mohammed, an Islamic extremist group based in Pakistan that is on the State Department's list of designated foreign terrorist organizations, in violation of 18 U.S.C. § 2339B;
- (b) Counts Twenty One through Twenty Seven charging Aref and Hossain with attempting to provide material support to Jaish-e-Mohammed, in violation of 18 U.S.C. § 2339B;
- (c) Count Twenty Eight charges Aref with making a false statement on INS Form 1-485, an Application to Register Permanent Resident or Adjust Status (answering "none" "when directed to list organizations of which he had been a member or with which he had been affiliated since his 16th birthday), in violation of 18 U.S.C. § 1546; and
- (d) Counts Twenty Nine and Thirty charging Aref with making false statements to the FBI on August 5, 2004 (denying that he had been a member of the Islamic Movement in Kurdistan, and denying that: he knew Mullah Krekar personally), in violation of 18 U.S.C. § 1001.

The original Indictment had charged Aref and Hossain with agreeing to conduct financial transactions which were intended to conceal the source of cash, which they believed to have come from a variety of criminal activities, including: the illegal importation and sale of firearms, violations of the Arms Export Control Act, providing material support to a foreign terrorist organization, and providing material support or resources knowing that they are to be used in an act of terrorism.

Count One of the original indictment further alleged that Aref and Hossain had agreed to launder \$50,000 in cash which had been paid to illegally purchase a shoulder fired surface to air missile which would later be used in a terrorist attack. Counts Two through Eight charged Aref and Hossain with aiding and abetting one another in conducting financial transactions designed to conceal what they believed to be the unlawful source of these funds.

Count Nine charged both defendants with conspiring to conceal and disguise the nature, source and location of material support or resources, knowing and intending that it would be used in an act of terrorism involving a weapon of mass destruction, an act of terrorism transcending national boundaries, and the bombing of public places.

Counts Ten through Nineteen then charged Aref and Hossain with four separate instances of aiding and abetting one another in attempting to conceal "material support or resources", knowing and intending that they would be used in furtherance of an act of terrorism. Count Twenty charges both defendants with conspiring to provide, and attempting to provide, material support or resources to Jaish-E- Mohammed, a designated terrorist organization.

Counts Twenty One through Twenty Seven charge Aref and Hossain with attempting to provide material support to Jaish-Ew-Mohammad. Count Twenty Eight then charges Aref with lying on his application to adjust his immigration status by denying that he had any affiliation with the Islamic Movement in Kurdistan, an organization which is alleged to be an armed Islamic movement seeking to establish an Islamic government in Iraq. Aref is also charged in Counts Twenty Nine and Thirty 'With lying to the FBI on the day of his arrest by falsely denying his membership in the Islamic Movement in Kurdistan and falsely denying that he personally knew Mullah Krekar who is alleged to be the founder of Ansar-al-Islam .

If convicted, the individual defendants face the following statutory maximum possible penalties:

<u>Defendant</u>	<u>Imprisonment</u>	<u>Fines</u>	<u>Special Assessments</u>
YASSIN AREF	470 Years	\$7,250,000	\$3000
MOHAMMED HOSSAIN	450 Years	\$6,750	\$2700

Aref and Hossain will both appear before U .S. Magistrate Judge David Homer in Albany New York on Friday September 30th at 1:30 p.m.

According to the complaint previously filed in this case, Hossain allegedly approached a cooperating witness ('CW") to obtain a fraudulent New York State driver's permit for his brother during the summer of 2003. As the relationship began to develop, according to a court affidavit, Hossain began discussing jihad with the CW in a series of recorded meetings and conversations. The complaint alleges that Hossain spoke of violent jihad.

Hossain, the owner of several rents! properties in Albany, also allegedly approached the CW about a loan to refurbish two of his rental properties. Soon thereafter, at the direction of the FBI, the CW set up a proactive undercover money laundering operation. During a videotaped meeting on November

20, 2003, the CW allegedly showed Hossain a shoulder fired missile, that had been rendered inoperable, which the CW claimed to have smuggled into the U.S. through his import/export business. The CW is also to alleged to have said that the shoulder fired missile was used by the Mujahid brothers to shoot down airplanes. During subsequent conversations, Hossain allegedly agreed to launder \$50,000, the CW's purported payment for importing the shoulder-fired missile, through his business. The affidavit alleged that Hossain proposed having Aref serve as a witness and guarantor to the transaction.

At various times from November 20, 2003 through June 10, 2004, Hossain and Aref are alleged to have met with the CW to receive cash payments-purportedly the profits from the sale of the missile, which were allegedly laundered through Hossain's business. Aref served as witness and guarantor to the transactions, the affidavit alleges. As described in court documents, the CW told the defendants that he brought "ammunition from China" for the "Mujahid brothers" and that he was working with Jaish-e-Mohammed, a group designated by the State Department as a foreign Terrorist Organization. The CW also explained that the missile would be used against a Pakistani diplomat in New York City to retaliate against President Mosharref for his support of the United States. Aref allegedly warned the CW to be careful because the CIA and FBI had electronic surveillance everywhere.

This prosecution resulted from a year long investigation undertaken by agents from The Joint Terrorism Task Force in Albany, New York which includes the Federal Bureau of Investigation, the New York State Police, U.S. Immigration and Customs Enforcement, the United States Department of State, the Albany Police Department, the Schenectady Police Department, the Troy Police Department, the Transportation Security Administration, the New York State Office of Inspector General, and the Internal Revenue Service.

U.S. Attorney Suddaby had high praise for the collaborative efforts of the agencies that participated in this investigation. Suddaby remarked that "various law enforcement agencies working together in a coordinated and cooperative fashion is essential for effective counter-terrorism investigations."

This prosecution is being handled in the United States Attorney's Office by Assistant U.S. Attorneys Bill Pericak and Greg West, as well as Gregg Soror, a trial attorney with the U.S. Department of Justice Counter Terrorism Section.

Further inquiries can be directed to U.S. Attorney Suddaby at 315.448-0672.

ICE

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.